

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

MPM SILICONES, LLC, *et al.*,¹

Debtors.

Case No. 14-mc-0303-VB

Judge Vincent L. Briccetti

BOKF, NA, solely as Trustee for the MPM
Escrow LLC and MPM Finance Escrow Corp.
8.875% First Priority Senior Secured Notes due
2020,

Case No. 14-mc-0303-VB

Appellant,

v.

MOMENTIVE PERFORMANCE
MATERIALS INC., MOMENTIVE
PERFORMANCE MATERIALS
WORLDWIDE INC., MOMENTIVE
PERFORMANCE MATERIALS USA INC.,
JUNIPER BOND HOLDINGS I LLC,
JUNIPER BOND HOLDINGS II LLC,
JUNIPER BOND HOLDINGS. III LLC,
JUNIPER BOND HOLDINGS IV LLC,
MOMENTIVE PERFORMANCE
MATERIALS QUARTZ, INC., MPM
SILICONES, LLC, MOMENTIVE
PERFORMANCE MATERIALS SOUTH
AMERICA INC., MOMENTIVE
PERFORMANCE MATERIALS CHINA SPY
INC.,

Appellees.

¹ The last four digits of the taxpayer identification numbers of the Debtors follow in parentheses: (i) Juniper Bond Holdings I LLC (9631); (ii) Juniper Bond Holdings II LLC (9692); (iii) Juniper Bond Holdings III LLC (9765); (iv) Juniper Bond Holdings IV LLC (9836); (v) Momentive Performance Materials China SPV Inc. (8469); (vi) Momentive Performance Materials Holdings Inc. (8246); (vii) Momentive Performance Materials Inc. (8297); (viii) Momentive Performance Materials Quartz, Inc. (9929); (ix) Momentive Performance Materials South America Inc. (4895); (x) Momentive Performance Materials USA Inc. (8388); (xi) Momentive Performance Materials Worldwide Inc. (8357); and (xii) MPM Silicones, LLC (5481). The Debtors' executive headquarters are located at 260 Hudson River Road, Waterford, NY 12188.

WILMINGTON TRUST, N.A., solely as
Trustee for the Momentive Performance
Materials Inc. 10% Senior Secured Notes due
2020,

Appellant,

v.

MOMENTIVE PERFORMANCE
MATERIALS INC., MOMENTIVE
PERFORMANCE MATERIALS
WORLDWIDE INC., MOMENTIVE
PERFORMANCE MATERIALS USA INC.,
JUNIPER BOND HOLDINGS I LLC,
JUNIPER BOND HOLDINGS II LLC,
JUNIPER BOND HOLDINGS. III LLC,
JUNIPER BOND HOLDINGS IV LLC,
MOMENTIVE PERFORMANCE
MATERIALS QUARTZ, INC., MPM
SILICONES, LLC, MOMENTIVE
PERFORMANCE MATERIALS SOUTH
AMERICA INC., MOMENTIVE
PERFORMANCE MATERIALS CHINA SPY
INC.,

Appellees.

Case No. 14-mc-0303-VB

DECLARATION OF JAMES C. DUGAN

James C. Dugan, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a member of the bar of the State of New York and am admitted to practice before the United States District Court for the Southern District of New York. I am a partner at Willkie Farr & Gallagher LLP.

2. I submit this Declaration in support of the Joint Opposition to the Motion of BOKF, NA, in Its Capacity as First Lien Trustee and of Wilmington Trust, N.A. in Its Capacity as 1.5 Lien Trustee, for Certification of Direct Appeal Pursuant to 28 U.S.C. § 158(d)(2).

3. I base this declaration on my personal knowledge and on information obtained in the course of the above-captioned matters.

4. Attached hereto are true and correct copies of the following items:

	EXHIBIT
1.	<i>In re MPM Silicones, LLC</i> , Case No. 14-22503 (RDD) Hearing Transcript (Bankr. S.D.N.Y. Sept. 9, 2014) <u>CORRECTED AND MODIFIED AS OF 9/17/2014</u>
2.	<i>In re MPM Silicones, LLC</i> , No. 14-22503 (RDD) Hearing Transcript (Bankr. S.D.N.Y. Aug. 21, 2014) (Excerpts)

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
September 18, 2014

By: /s/ James C. Dugan
James C. Dugan